

House File 823 - Reprinted

HOUSE FILE 823

BY McCARTHY

(COMPANION TO LSB 2716XS

BY GRONSTAL)

(As Amended and Passed by the House March 1, 2010)

A BILL FOR

1 An Act requiring public schools, community colleges,
2 institutions under the control of the state board
3 of regents, and state agencies to comply with an
4 environmentally preferable cleaning and maintenance policy
5 unless specified conditions for noncompliance are satisfied.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 8A.318 Building cleaning and
2 maintenance — environmentally preferable cleaning products.

3 1. *Findings and intent.* The general assembly finds that
4 human beings are vulnerable to and may be severely affected by
5 exposure to chemicals, hazardous waste, and other environmental
6 hazards. The federal environmental protection agency estimates
7 that human exposure to indoor air pollutants can be two to five
8 times, and up to one hundred times, higher than outdoor levels.
9 Children, teachers, janitors, and other staff members spend a
10 significant amount of time inside school buildings. Likewise,
11 state employees and citizens of this state spend a significant
12 amount of time inside state buildings. These individuals
13 are continuously exposed to chemicals from cleaners, waxes,
14 deodorizers, and other maintenance products.

15 2. *Definitions.* As used in this section, unless the context
16 otherwise requires:

17 a. "*Environmentally preferable cleaning and maintenance*
18 *products*" includes but is not limited to cleaning and
19 maintenance products identified by the department and posted on
20 the department's internet site.

21 b. "*State building*" means a public facility or building
22 owned by or leased by the state, or an agency or department of
23 the state.

24 3. *Use of environmentally preferable cleaning and maintenance*
25 *products.*

26 a. All school districts in this state, community colleges,
27 institutions under the control of the state board of regents,
28 and state agencies utilizing state buildings, are encouraged
29 to conform to an environmentally preferable cleaning policy
30 designed to facilitate the purchase and use of environmentally
31 preferable cleaning and maintenance products for purposes of
32 public school, community college, regents institution, and
33 state building cleaning and maintenance.

34 b. Each school district, community college, institution
35 under the control of the state board of regents, or state

1 agency utilizing public buildings shall conduct an evaluation
2 and assessment regarding implementation of an environmentally
3 preferable cleaning policy pursuant to this section. On
4 or after July 1, 2012, all state agencies, and all school
5 districts, community colleges, and institutions under the
6 control of the state board of regents which have not opted out
7 of compliance pursuant to paragraph "c", shall purchase only
8 cleaning and maintenance products identified by the department
9 or that meet nationally recognized standards. School
10 districts, community colleges, institutions under the control
11 of the state board of regents, and state agencies procuring
12 supplies for schools and state buildings may deplete their
13 existing cleaning and maintenance supply stocks and implement
14 the new requirements in the procurement cycle for the following
15 year. This section shall not be interpreted in a manner that
16 prohibits the use of disinfectants, disinfecting cleaners,
17 sanitizers, or any other antimicrobial product regulated by the
18 federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C.
19 § 136 et seq., when necessary to protect public health and
20 provided that the use of these products is in accordance with
21 responsible cleaning procedure requirements.

22 c. A school district, community college, or institution
23 under the control of the state board of regents may, based
24 upon the evaluation and assessment conducted pursuant to
25 paragraph "b", opt out of compliance with the requirements
26 of this section, upon the affirmative vote of a majority of
27 the members of the board of directors of the school district
28 or a determination by the president of the community college
29 or by the president or administrative officer of the regents
30 institution. A school district, community college, or
31 regents institution opting out of compliance pursuant to this
32 paragraph shall notify the department of education, the state
33 board for community colleges, or the state board of regents,
34 respectively, of this decision.

35 4. *Information requirements — department internet site.* The

1 department shall provide information on the department's
2 internet site regarding environmentally preferable cleaning and
3 maintenance products used by the department. The department
4 may also provide information regarding other cleaning and
5 maintenance products that the department is aware of that meet
6 nationally recognized standards. Information shall also be
7 provided, at the discretion of the department, regarding the
8 nationally recognized standards and the entity establishing the
9 standards.